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| | | | ART UNIT 2154 | PAPER NUMBER 8 |

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/649,974

Applicant(s)

BUFFALO ET AL.

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. This action is responsive to the amendment and remarks filed on January 27, 2004.
2. Claims 1-17 and 19-29 are presented for examination.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kidder et al, U.S. Patent 6,445,774 (hereinafter Kidder) in view of Cogger et al, U.S. Patent 6,032,184 (hereinafter Cogger).
6. Kidder and Cogger were cited in the last Office Action.

7. As per claim 1, Kidder taught the invention as claimed for automatically providing infrastructure maintenance response to a customer form/report/ticket in a communications network that includes a core communications service, comprising:

a Work-Flow Manager, arranged to automatically trigger, for each customer form/report/ticket, at least one automatic diagnosis software program from a plurality of automatic diagnosis software programs without human intervention;(405 and 418, figure 4; col. 14, lines 24-62; col. 16, lines 32-41; col. 6, lines 57-61); and
a Maintenance Program Scheduler, coupled to the Work-Flow Manager, for invoking at least one predetermined maintenance software program based upon predetermined criteria being met by the form/report/ticket, and the results of the at least one automatic diagnosis software program, without human intervention (417, figure 4; col. 10, lines 40-62; col. 16, lines 26-41; col. 6, lines 57-61).

8. Kidder did not teach a communication network comprising an Access Provider service. Cogger taught the invention for providing infrastructure maintenance response to a customer form/report/ticket in a communications network that includes an Access Provider services (col. 16, lines 28-34).

9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of providing Access Provider services would enhanced the attractiveness of Kidder's automatic customer

maintenance system by providing an all inclusive service request contact point. Therefore, service requests relating to any service organizations are sent to a single location (col. 16, lines 34-38).

10. As per claim 3, Kidder taught the invention substantially as claimed in claim 1 above, wherein the at least one predetermined maintenance software program for the maintenance program scheduler include:

an automatic closing program (col. 16, lines 26-31).

11. Kidder did not teach the predetermined maintenance software programs for the maintenance program scheduler include a progress reporting program. Cogger taught a customer maintenance system wherein the predetermined maintenance software programs include:

an progress reporting program (col. 15, lines 34-38).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of including an progress reporting program would increase the convenience of the customer in Kidder's automatic customer maintenance system by allowing the customer to identify the status of the form/report/ticket (col. 2, lines 42-46).

13. As per claim 4, Kidder and Cogger taught the invention substantially as claimed in claim 1 above. Cogger further taught that the Access Provider service is implemented using a second gateway for access that is coupled to a data communication network of the communications network (figure 4; col. 10, lines 16-25; col. 16, lines 28-34).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of providing Access Provider service using a gateway for access would increase the usability of Kidder's automatic customer maintenance system by allowing communication between the automatic customer maintenance system and Access Providers that use different communications protocols.

15. As per claim 5, Kidder and Cogger taught the invention substantially as claimed in claim 1 above. Kidder further taught a system wherein a Customer Care Platform that is coupled to a data communication network that delivers the customer form/report/ticket to a Business Maintenance Platform for processing without human intervention in accordance with at least the automatic software programs (col. 10, lines 8-16; col. 16, lines 32-41; col. 6, lines 57-61).

16. Kidder did not teach the customer form/report/ticket is initiated by an agent in a Custom Care Platform. Cogger taught the invention wherein the customer form/report/ticket is initiated by an agent in a Custom Care Platform (col. 12, lines 45-52).

17. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of allowing an agent to initiate a customer form/report/ticket would increase the efficiency of Kidder's automatic customer maintenance system by allowing the agent to initiate a customer form/report/ticket if the agent of the customer maintenance system detects a network event first.

18. As per claim 7, Kidder and Cogger did not detail the parallel configuration in which the system components are coupled. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the configuration of the automatic customer maintenance system wherein the Business Maintenance Platform is coupled in parallel to a data communication network, service provisioning systems, a work management systems, a billing system, and a gateway because the parallel configuration is a design choice of the inventor. Moreover, other configuration modifications may be made without deviating from the function of the automatic customer maintenance system.

19. Claims 2, 6 and 8-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kidder and Cogger in view of Jones et al, U.S. Patent 5,946,372 (hereinafter Jones).

20. Jones was cited in the last Office Action.

21. As per claim 2, Kidder and Cogger taught the invention substantially as claimed in claim 1 above. Kidder taught the invention wherein the plurality of automatic diagnosis software programs include:

an automatic linking program for automatically linking the customer with an area to solve a problem (col. 8, lines 26-49);

an automatic notification program for automatically notifying a maintenance technician when the problem requires further analysis (col. 5, lines 58-61; col. 6, lines 66-col. 7, lines 1);

an automatic customer notification program for automatically conveying clearance information for the customer (col. 9, lines 61-col. 10, lines 7); and

an automatic closing program for automatically checking for tickets that have been conveyed to the customer (col. 16, lines 26-31).

22. Kidder did not teach other automatic software programs. However, Cogger taught the invention wherein the plurality of automatic software programs include:

an automatic referral program for automatically referring the problem to the access provider service via a first gateway (col. 16, lines 6-13; col. 10, lines 16-24; fig. 4);

an automatic preparation for clearance program for automatically populating clearance information and analysis codes on the ticket based on a diagnosis conclusion sent by the Access Provider service (col. 16, lines 13-18);

an automatic progress reporting program for automatically determining when a status is owed to the customer (col. 15, lines 34-38);

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's system of referral program, preparation for clearance program and progress reporting program would enhanced Kidder's automatic customer maintenance system by providing additional customer maintenance system tools for interactive trouble reporting and monitoring (col. 1, lines 16-20).

24. Kidder and Cogger did not specifically detailing other automatic software programs. However, Jones taught the invention wherein the plurality of automatic software programs include:

an automatic diagnosing program for providing automatic diagnosis (col. 3, lines 5-11; col. 9, lines 6-18);

an automatic verification program for automatically verifying if the problem has been fixed (col. 15, lines 34-39).

25. It would have been obvious to one-of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's system with a test unit for testing communication network would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to automatically test and to

automatically verify that the circuits are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

26. As per claim 6, Kidder and Cogger taught the invention substantially as claimed as in claim 5 above. Kidder further taught the Business Maintenance Platform includes:

a Database for storing circuit and customer information (col. 8, lines 62-67);

a ticket Unit for processing the customer form/report/ticket (col. 8, lines 59-62);

an Alarm Unit for recording problems that the system detects in the network (col. 8, lines 6-9); and

an Event Unit having a Work-Flow Manager and a plurality of computer programs/engines, wherein the Event Unit is used for monitoring events and initiating activities based on events (col. 14, lines 24-62).

27. Kidder and Cogger did not teach the Business Maintenance Platform includes a Test Unit for testing a selected infrastructure portion of the communications network. Jones taught a Test Unit for testing a selected infrastructure portion of the communications network (col. 9, lines 6-22).

28. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's system with a test unit for testing communication network would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to test and to verify that the circuits

are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

29. As per claim 8, Kidder taught the invention as claimed having a Business Maintenance Platform for automatically providing, without human intervention (col. 16, lines 32-41; col. 6, lines 57-61), infrastructure maintenance in response to a customer form/report/ticket in a communications network that includes a core communications service (col. 4, lines 11-22), the Business Maintenance Platform comprising:

a Database, for storing information related to circuits and customer information (col. 8, lines 62-67);

a ticket unit, for processing the customer form/report/ticket (col. 8, lines 59-62);

an Alarm Unit, for recording problems that the system detects in the network (col. 8, lines 6-9); and

an event unit having a work-flow manager and a plurality of computer programs/engines, wherein the event unit is used for monitoring events and initiating activities based on events (col. 14, lines 24-62).

30. Kidder did not teach a communication network comprising an Access Provider service. Cogger taught the invention for providing infrastructure maintenance response to a customer

form/report/ticket in a communications network that includes an Access Provider services (col. 16, lines 28-34).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of providing Access Provider services would enhanced the attractiveness of Kidder's automatic customer maintenance system by providing an all inclusive service request contact point. Therefore, service requests relating to any service organizations are sent to a single location (col. 16, lines 34-38).

32. Kidder and Cogger did not teach the Business Maintenance Platform includes a Test Unit for automatically testing a selected infrastructure portion of the communications network. Jones taught a Test Unit for testing a selected infrastructure portion of the communications network (col. 9, lines 6-22).

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's system with a test unit for testing communication network would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to automatically test and to automatically verify that the circuits are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

34. Kidder, Cogger and Jones did not detail the configuration in which the system components are coupled. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the automatic customer maintenance system, wherein the database, the ticket unit, the test unit, the alarm unit and the event unit are coupled in parallel to a data communication network, service provisioning systems, a work management systems, a billing system, and a gateway to the Access Provider because the configuration is a design choice of the inventor. Moreover, other configuration modifications may be made without deviating from the function of the automatic customer maintenance system.

35. As per claim 15, Kidder taught the invention as claimed for automatically providing, without human intervention, infrastructure maintenance in response to a customer form/report/ticket in a communications network that includes a core communications service (col. 4, lines 11-22), comprising the steps of:

notifying the customer that the system has repaired the problem (col. 9, lines 61-col. 10, lines 7); and

closing out the ticket/repair request upon successful repair of the problem (col. 16, lines 26-31).

36. Kidder did not teach a communication network comprising an Access Provider service. Cogger taught the invention for providing infrastructure maintenance response to a customer form/report/ticket in a communications network that includes an Access Provider services (col. 16, lines 28-34), comprising the steps of:

generating a ticket/customer repair request regarding a problem (col. 12, lines 45-52);
generating clearance and analysis codes (col. 16, lines 13-18).

37. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's system of referral program, preparation for clearance program and progress reporting program would enhanced Kidder's automatic customer maintenance system by providing additional customer maintenance system tools for interactive trouble reporting and monitoring (col. 1, lines 16-20).

38. Kidder and Cogger did not teach the method comprising the steps of diagnosing and verifying the problem. Jones taught the method comprising the steps of diagnosing the problem by using an automatic diagnosing program (col. 3, lines 5-11; col. 9, lines 6-18) and using an automatic linking program for automatically linking the customer with an area to solve a problem (col. 8, lines 26-47) and testing to determine whether the problem has been fixed (col. 15, lines 34-39).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's method of testing and verifying the problem would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to automatically test and to automatically

verify that the circuits are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

40. As per claim 26, Kidder taught the invention substantially as claimed for providing infrastructure maintenance in response to a customer form/report/ticket in a communication network that includes a core communication service (col. 4, lines 11-22), comprising the steps of utilizing, without human intervention (col. 16, lines 32-41; col. 6, lines 57-61), software programs for automatically:

providing an update to the customer, by one of an interactive voice response system and an email, indicating that the problem is fixed (col. 9, lines 61-col. 10, lines 7); and diagnosing the circuit problem and, where the circuit problem has been fixed, initiating clearing of the ticket (col. 16, lines 26-31), and determining that manual intervention by a maintenance technician is needed, sending an electronic message to the maintenance technician alerting the maintenance technician to the need for repair (col. 5, lines 58-61; col. 6, lines 66-col. 7, lines 2).

41. Kidder did not teach a communication network comprising an Access Provider service. Cogger taught the invention for providing infrastructure maintenance response to a customer form/report/ticket in a communications network that includes an Access Provider services (col. 16, lines 28-34), comprising the steps of:

preparing, by one of a customer and an agent, a customer form/report/ticket concerning a circuit problem and sending the customer form/report/ticket to a Business Maintenance platform (col. 12, lines 45-52),

determining whether the circuit problem reported has been caused by a higher level facility/equipment/lower level circuit problem, and where the circuit problem relates to higher level facility/equipment, automatically preparing a second ticket for the higher level facility/equipment and correlating the customer form/report/ticket and the second ticket with respect to updates (col. 16, lines 3-26);

when the customer confirms that the circuit problem is fixed, closing out the ticket (col. 16, lines 48-54);

where the problem exits in the Access provider's portion of the circuit, automatically sending an electronic referral to an Access Provider (col. 16, lines 3-26);

where the circuit problem has been repaired, pre-populating clearance information and analysis codes on the customer form/report/ticket to indicate that the circuit problem has been repaired (col. 16, lines 13-18).

42. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's system of referral program, preparation for clearance program and progress reporting program would enhanced Kidder's automatic customer maintenance system by providing additional customer maintenance system tools for interactive trouble reporting and monitoring (col. 1, lines 16-20).

43. Kidder and Cogger did not teach the method comprising the steps of diagnosing and verifying the problem. Jones taught the method comprising the steps of:

sending, upon the Access Provider's/the maintenance technician's completion of the repair, a message requesting verification that the problem has been fixed (col. 3, lines 5-11; col. 9, lines 6-18);

testing and performing alarm checks to determine if the circuit problem has been repaired (col. 15, lines 34-39).

44. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's method of testing and verifying the problem would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to test and to verify that the circuits are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

45. As per claim 9, Kidder, Cogger and Jones taught the invention substantially as claimed in claim 8 above. Kidder further taught a system wherein a custom care Platform that is coupled to a data communication network that delivers the customer form/report/ticket to a Business Maintenance Platform for processing (col. 10, lines 8-16).

46. Kidder did not teach the customer form/report/ticket is initiated by an agent in the Custom Care Platform. Cogger taught a system wherein the Business Maintenance Platform is coupled to a Customer Care Platform wherein the customer form/report/ticket is initiated by an agent in the Custom Care Platform (col. 12, lines 45-52).

47. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of allowing an agent to initiate a customer form/report/ticket would increase the efficiency of Kidder's automatic customer maintenance system by allowing the agent to initiate a customer form/report/ticket if the agent of the customer maintenance system detects a network event first.

48. As per claim 10, Kidder, Cogger and Jones taught the invention substantially as claimed in claim 9 above. Kidder further taught a system wherein processing includes utilizing a plurality of automatic diagnosis software programs (col. 10, lines 8-16).

49. As per claims 11, 19-25 and 27-29, Kidder, Cogger and Jones taught the invention substantially as claimed as in claims 2, 10, 15 and 26 above. Kidder further taught a system wherein the plurality of automatic diagnosis software programs include:

an automatic linking program for automatically linking the customer with an area to solve a problem (see Kidder, col. 8, lines 26-49);

an automatic notification program for automatically notifying a maintenance technician when the problem requires further analysis (see Kidder, col. 5, lines 58-61; col. 6, lines 66-col. 7, lines 1);

an automatic customer notification program for automatically conveying clearance information for the customer (see Kidder, col. 9, lines 61-col. 10, lines 7);

an automatic closing program for automatically checking for tickets that have been conveyed to the customer (see Kidder, col. 16, lines 26-31).

50. Kidder did not teach other automatic software programs. However, Cogger taught the invention wherein the plurality of automatic software programs include:

an automatic referral program for automatically referring the problem to the Access Provider service via a gateway (see Cogger, col. 16, lines 6-13);

an automatic preparation for clearance program for automatically populating clearance information and analysis codes on the ticket based on a diagnosis conclusion sent by the Access Provider service (see Cogger, col. 16, lines 13-18);

an automatic progress reporting program for automatically determining when a status is owed to the customer (see Cogger, col. 15, lines 34-38).

51. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's system of referral program, preparation for clearance program and progress reporting program would enhanced

Kidder's automatic customer maintenance system by providing additional customer maintenance system tools for interactive trouble reporting and monitoring (col. 1, lines 16-20).

52. Kidder and Cogger did not specifically detailing other automatic software programs. However, Jones taught the invention wherein the plurality of automatic software programs include:

an automatic diagnosing program for providing automatic diagnosis (see Jones, col. 3, lines 5-11; col. 9, lines 6-9);

an automatic verification program for automatically verifying if the problem has been fixed (see Jones, col. 15, lines 34-39).

53. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder, Cogger and Jones because Jones's system with a test unit for testing communication network would increase the efficiency of Kidder's and Cogger's systems by allowing customer maintenance system to automatically test and to automatically verify that the circuits are operational when the customer maintenance system detects a network event prior to customer notification (col. 1, lines 66-col. 2, lines 10).

54. As per claim 12, Kidder, Cogger and Jones taught the invention substantially as claimed as in claims 3 and 8 above. Kidder further taught a system wherein time-based maintenance software programs are initiated at predetermined times by a maintenance program scheduler that

is coupled to the Business Maintenance Platform (417, figure 4; col. 10, lines 40-62), the time-based maintenance software programs including:

an automatic closing program for automatically checking for tickets that have been conveyed to the customer (col. 16, lines 9-34).

55. Kidder did not teach the predetermined maintenance software programs for the maintenance program scheduler include an automatic progress reporting program. Cogger taught a customer maintenance system wherein the time-based maintenance software programs include:

an automatic program reporting program for automatically determining when a status is owed to the customer (col. 15, lines 34-38).

56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of including a program reporting program would increase the convenience of the customer in Kidder's automatic customer maintenance system by allowing the customer to identify the status of the form/report/ticket (col. 2, lines 42-46).

57. As per claim 13, Kidder, Cogger and Jones taught the invention substantially as claimed in claims 4 and 8 above. Cogger further taught that the core communications service is

monitored using a customer gateway for Web access that is coupled to a data communication network of the communications network (figure 5; col. 10, lines 16-25; col. 16, lines 28-34).

58. As per claims 14 and 17, Kidder, Cogger and Jones taught the invention substantially as claimed as in claims 5, 8 and 15 above. Kidder further taught a system wherein a Custom Care Platform is coupled to a data communication network that delivers the customer form/report/ticket to a Business Maintenance Platform for processing in accordance with at least the automatic software programs (col. 10, lines 8-16).

59. Kidder did not teach the customer form/report/ticket is initiated by an agent in a Custom Care Platform. Cogger taught the invention wherein the customer form/report/ticket is initiated by an agent in a Custom Care Platform (col. 12, lines 45-52).

60. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kidder and Cogger because Cogger's method of allowing an agent to initiate a customer form/report/ticket would increase the efficiency of Kidder's automatic customer maintenance system by allowing the agent to initiate a customer form/report/ticket if the agent of the customer maintenance system detects a network event first.

61. As per claim 16, Kidder, Cogger and Jones taught the invention substantially as claimed as in claim 15 above, wherein generating a ticket/customer repair request regarding a problem is accomplished by a customer (see Cogger, col. 12, lines 53-60) and the ticket is transmitted to a

Business Maintenance Platform for automatic infrastructure maintenance processing (see Kidder, col. 10, lines 8-16).

62. Applicant's arguments with respect to claims 1-17 and 19-29, filed 1/27/04, have been fully considered but are not deemed to be persuasive.

63. In the remark applicant argued that

- (1) in claim 1, Kidder did not suggest any arrangement that "automatically" launches one or more "diagnosis software programs".
- (2) the cited references did not teach where "network maintenance" is automated so as to run "without human intervention".

64. In response to points (1) and (2), Kidder taught based on predetermined rules (diagnosis programs) executed by the rules manager, the rules manager may determine that personnel should be dispatched to the location where the alarm was detected (col. 16, lines 1-8). Kidder further taught the rules manager provides sufficient rules to enable a fully autonomous system, with no requirement for human network monitors (col. 16, lines 32-41). Although aspects in Kidder's teaching refer to the network monitors as persons, one skilled in the art will recognize that the functions of the network monitors may be alternatively provided by automated apparatuses (col. 6, lines 57-61).

65. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

66. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

67. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (703) 305-7721.

68. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100